

UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEW JERSEY

In Re: JAMES X. REZABALA and ERIKA M. PENACHI	Case No.: <u>19-25396</u> Chapter: <u>7</u> Judge: <u>Papalia</u>
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NOTICE OF PROPOSED COMPROMISE or SETTLEMENT OF CONTROVERSY

Steven P. Kartzman, Chapter 7 Trustee, in this case proposes a compromise, or to settle a claim and/or action as described below. If you object to the settlement or compromise, you must file a written objection with the Clerk of the United States Bankruptcy Court, and serve it on the person named below not later 7 days before the hearing date.

Address of the Clerk: Jeanne A. Naughton, Clerk Martin Luther King Jr. Federal Building 50 Walnut Street, P.O. Box 1352 Newark, New Jersey 07102

If an objection is filed, a hearing will be held before the Honorable Vincent F. Papalia on November 15, 2022 at 10:00 a.m. at the United States Bankruptcy Court, courtroom no. 3B, 50 Walnut Street, Newark, NJ 07102 (hearing to be scheduled for at least 28 days from the date of the filing of the notice). If no objection is filed the clerk will enter a *Certification of No Objection* and the settlement may be completed as proposed.

Nature of action: Trustee sold 3365 Kennedy Boulevard, Jersey City, New Jersey (the "Property"). Due to an underground storage tank ("UST"), the Trustee incurred additional costs to remove the UST and and remediate the ground, as well as additional legal fees. The Trustee filed a Motion to surcharge Bank of America, N.A. ("BANA"), the mortgagee, for the cost of cleanup to recognize
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Pertinent terms of settlement: The Trustee and BANA agree that the Trustee shall remit payment to BANA of \$260,000.00 from the sale of the Property pursuant to 11 U.S.C. § 506(c), plus per diem interest of \$16.37 from and after September 15, 2022, in order to partially satisfy the sum of \$48,334.75 owed to Brinks Tank & Environmental Service for the removal and remediation of the contaminated soil from the UST and the sum of \$8,619.00 to satisfy the legal fees incurred by the estate in connection with same. The reduction in

Objections must be served on, and requests for additional information directed to:

Name: Steven A. Jayson

Address: Mellinger Kartzman LLC, 101 Gibraltar Drive, Suite 2F, Morris Plains, NJ 07950

Telephone No.: 973-267-0220

In re:
James X. Rezabala
Erika M. Penachi
Debtors

Case No. 19-25396-VFP
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Oct 14, 2022

User: admin
Form ID: pdf905

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Total Noticed: 51

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 16, 2022:

Recip ID	Recipient Name and Address
db	+ James X. Rezabala, 3365 Kennedy Blvd., Jersey City, NJ 07307-4208
jdb	+ Erika M. Penachi, 453 Tomas Ave., Apt. 2, Lyndhurst, NJ 07071-3117
r	+ KW City Life JC Realty, KW City Life JC Realty, 190 Christopher Columbus Drive, Jersey City, NJ 07302-3432
518398825	+ Frederick I. Weinberg & Associates, P.C., 1200 Laurel Oak Rd., Ste.104, Org. acct. # 5466-3229-9947-7213, Voorhees, NJ 08043-4317
518398826	+ Jersey City Municipal Utility Authority, 69 DeVoe Place, Hackensack, NJ 07601-6105
518398828	+ Kohl's / Capital One Bank, N. A., P.O. Box 30285, Attn : Bankruptcy Dept., Salt Lake City, UT 84130-0285
518398830	Radius Global Solutions, LLC, P.O. Box 390846, Org. acct. # 3499920038772463, Jacksonville, FL 32225
518398833	+ State Auto Sales, 510 Kennedy Blvd., Union City, NJ 07087-3411
518747231	State of New Jersey, Division of Taxation, Bankruptcy Section, PO Box 245, Trenton, NJ 08695-0245
518398834	+ State of New Jersey Tax Dept., 50 Barrack Street, Trenton, NJ 08608-2006

TOTAL: 10

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
aty	+ Email/Text: attorneys@msklaw.net	Oct 14 2022 20:40:00	Mellinger Kartzman LLC, 101 Gibraltar Drive, Suite 2F, Morris Plains, NJ 07950-1287
aty	+ Email/Text: attorneys@msklaw.net	Oct 14 2022 20:40:00	Mellinger, Sanders & Kartzman, LLC, 101 Gibraltar Drive, Suite 2F, Morris Plains, NJ 07950-1287
smg	Email/Text: usanj.njbankr@usdoj.gov	Oct 14 2022 20:41:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpreregion03.ne.ecf@usdoj.gov	Oct 14 2022 20:41:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
app	+ Email/Text: atkinsappraisal@aol.com	Oct 14 2022 20:40:00	A. Atkins Appraisal Company, 122 Clinton Road, Suite 2A, Fairfield, NJ 07004-2900
518398803	+ Email/Text: aargon@ebn.phinsolutions.com	Oct 14 2022 20:41:00	Aargon Collection Agency, 8668 Springmountain Rd., Attn : Bankruptcy Dept., Las Vegas, NV 89117-4132
518398802	+ Email/Text: aargon@ebn.phinsolutions.com	Oct 14 2022 20:41:00	Aargon Collection Agency, 3025 W. Sahara, Org. acct. # 006904079207, Las Vegas, NV 89102-6094
518398805	+ Email/PDF: bncnotices@becket-lee.com	Oct 14 2022 20:49:17	American Express Co., P.O. Box 981540, Attn : Correspondence Dept., El Paso, TX 79998-1540
518398804	+ Email/PDF: bncnotices@becket-lee.com		

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		Oct 14 2022 20:49:17	American Express Co., P.O. Box 297871, Fort Lauderdale, FL 33329-7871
518696175	Email/PDF: bncnotices@becket-lee.com		
		Oct 14 2022 20:49:28	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
518398806	+ Email/Text: creditcardbkcorrespondence@bofa.com		
		Oct 14 2022 20:40:00	Bank of America, N. A., P.O. Box 982238, El Paso, TX 79998-2238
518398808	+ Email/Text: creditcardbkcorrespondence@bofa.com		
		Oct 14 2022 20:40:00	Bank of America, N. A., P.O. Box 982238, Attn : Bankruptcy Dept., El Paso, TX 79998-2238
518398807	+ Email/Text: creditcardbkcorrespondence@bofa.com		
		Oct 14 2022 20:40:00	Bank of America, N. A., 4909 Savarese Center, Tampa, FL 33634-2413
518398809	+ Email/Text: creditcardbkcorrespondence@bofa.com		
		Oct 14 2022 20:40:00	Bank of America, N. A., 4909 Savarese Circle, FL1-908-01-50, Tampa, FL 33634-2413
518667339	+ Email/Text: mortgagebkcorrespondence@bofa.com		
		Oct 14 2022 20:40:00	Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
518721946	Email/Text: creditcardbkcorrespondence@bofa.com		
		Oct 14 2022 20:40:00	Bank of America, N.A., PO Box 31785, Tampa, FL 33631-3785
518398810	+ Email/PDF: Citi.BNC.Correspondence@citi.com		
		Oct 14 2022 20:49:19	Best Buy Co. / Citi Bank, N. A., P.O. Box 6497, Sioux Falls, SD 57117-6497
518398813	Email/Text: bankruptcy@cavps.com		
		Oct 14 2022 20:41:00	Cavalry Portfolio Services, LLC, P.O. Box 27288, Tempe, AZ 85285
518610280	+ Email/Text: documentfiling@lciinc.com		
		Oct 14 2022 20:40:00	COMCAST, PO BOX 1931, Burlingame, CA 94011-1931
518398812	+ Email/PDF: AIS.cocard.ebn@aisinfo.com		
		Oct 14 2022 20:49:03	Capital One Bank USA, N. A., P.O. Box 30285, Attn : Bankruptcy Dept., Salt Lake City, UT 84130-0285
518398811	+ Email/PDF: AIS.cocard.ebn@aisinfo.com		
		Oct 14 2022 20:49:03	Capital One Bank USA, N. A., P.O. Box 30281, Salt Lake City, UT 84130-0281
518671869	Email/PDF: bncnotices@becket-lee.com		
		Oct 14 2022 20:49:18	Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
518398815	+ Email/Text: bankruptcy@cavps.com		
		Oct 14 2022 20:41:00	Cavalry Portfolio Services, LLC, 500 Summit Lake Drive, Ste. 400, Valhalla, NY 10595-2321
518398814	+ Email/Text: bankruptcy@cavps.com		
		Oct 14 2022 20:41:00	Cavalry Portfolio Services, LLC, 500 Summit Lake Dr., Ste. 400, Attn : Bankruptcy Dept., Org. acct. # 20036270, Valhalla, NY 10595-2321
518604938	+ Email/Text: bankruptcy@cavps.com		
		Oct 14 2022 20:41:00	Cavalry SPV I, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
518398818	+ Email/PDF: Citi.BNC.Correspondence@citi.com		
		Oct 14 2022 20:49:33	Citi Bank, N. A. / Best Buy Co., P.O. Box 790034, Attn : Centralized Bankruptcy, Saint Louis, MO 63179-0034
518695315	Email/PDF: Citi.BNC.Correspondence@citi.com		
		Oct 14 2022 20:49:33	Citibank, N.A., 5800 S Corporate Pl, Sioux Falls, SD 57108-5027
518398821	Email/Text: mrdiscen@discover.com		
		Oct 14 2022 20:40:00	Discover Financial Services, LLC, P.O. Box 15316, Attn : Bankruptcy Dept., Wilmington, DE 19850
518398820	Email/Text: mrdiscen@discover.com		
		Oct 14 2022 20:40:00	Discover Financial Services, LLC, P.O. Box 15316, Wilmington, DE 19850
518607728	Email/Text: mrdiscen@discover.com		
		Oct 14 2022 20:40:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
518398823	^ MEBN		
		Oct 14 2022 20:38:49	First Credit Services, P.O. Box 55, 3 Sciles Ave., Piscataway, NJ 08855-7200
518398824	+ Email/Text: crdept@na.firstsource.com		
		Oct 14 2022 20:41:00	Firstsource Advantage, LLC, 205 Bryant Woods South, Org. acct. # 3499920038772463, Amherst, NY 14228-3609

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518398819	Email/Text: sbse.cio.bnc.mail@irs.gov	Oct 14 2022 20:40:00	Dept. of the Treasury, Internal Revenue Service, Cincinnati, OH 45999
518398817	Email/PDF: ais.chase.ebn@aisinfo.com	Oct 14 2022 20:49:15	Chase Bank, N. A., P.O. Box 15298, Attn: Correspondence Dept, Wilmington, DE 19850
518398816	Email/PDF: ais.chase.ebn@aisinfo.com	Oct 14 2022 20:49:02	Chase Bank, N. A., P.O. Box 15298, Wilmington, DE 19850
518398827	+ Email/Text: PBNCNotifications@peritussservices.com	Oct 14 2022 20:40:00	Kohl's / Capital One Bank USA, N. A., N.56 W. 17000 Ridgewood Dr., Menomonee Falls, WI 53051-7096
518398829	^ MEBN	Oct 14 2022 20:39:44	Mercantile Adjustment Bureau, LLC, 165 Lawrence Bell Dr., Ste. 100, Org. acct. # ends in 5599, Williamsville, NY 14221-7900
518704514	+ Email/Text: bankruptcydpt@mcmcg.com	Oct 14 2022 20:41:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
518398831	+ Email/Text: bankruptcy@sw-credit.com	Oct 14 2022 20:41:00	Southwest Credit Systems, 4120 International Parkway, Carrollton, TX 75007-1958
518398832	+ Email/Text: bankruptcy@sw-credit.com	Oct 14 2022 20:41:00	Southwest Credit Systems, 4120 International Pkwy., Ste.1100, Carrollton, TX 75007-1958
518398835	Email/Text: bankruptcy@td.com	Oct 14 2022 20:41:00	TD Bank, N. A., 70 Gray Rd., Portland, ME 04105

TOTAL: 41

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
518398822	##+	First Credit Services, 377 Hoes Lane, Piscataway, NJ 08854-4155

TOTAL: 0 Undeliverable, 0 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 16, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 13, 2022 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor BANK OF AMERICA N.A. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Douglas J. McDonough	on behalf of Creditor BANK OF AMERICA N.A. dmcDonough@flwlaw.com
Joseph R Zapata, Jr	on behalf of Plaintiff Steven P. Kartzman jzapata@msbnj.com

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Kevin Gordon McDonald

on behalf of Creditor BANK OF AMERICA N.A. kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com

Steven A. Jayson

on behalf of Trustee Steven P. Kartzman sjayson@msklaw.net
jloewenstein@msklaw.net; donnaz@msklaw.net; pmasiello@msklaw.net

Steven P. Kartzman

on behalf of Trustee Steven P. Kartzman Trustee@msklaw.net
nj16@ecfcbis.com; jloewenstein@msklaw.net; sjayson@msklaw.net; skartzman@msklaw.net; donnaz@msklaw.net; pmasiello@msklaw.net

Steven P. Kartzman

Trustee@msklaw.net
nj16@ecfcbis.com; jloewenstein@msklaw.net; sjayson@msklaw.net; skartzman@msklaw.net; donnaz@msklaw.net; pmasiello@msklaw.net

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William P. Bonomo

on behalf of Debtor James X. Rezabala nyattybill@aol.com
bonomolawecf@gmail.com; claudia@garanticesufuturo.com; lediazlaw@gmail.com; bonomowr58406@notify.bestcase.com

William P. Bonomo

on behalf of Joint Debtor Erika M. Penachi nyattybill@aol.com
bonomolawecf@gmail.com; claudia@garanticesufuturo.com; lediazlaw@gmail.com; bonomowr58406@notify.bestcase.com

TOTAL: 10